TO THE

State Centres, Centres of Circles and Members

OF THE

FENIAN BROTHERHOOD.

HEADQUARTERS, FENIAN BROTHERHOOD,
No. 10 West Fourth Street,
New York, January 24, 1868.

Brothers:—

In laying before you the accompanying correspondence, which concludes the negotiations into which your President and Senate entered in obedience to the resolutions adopted at the Cleveland Congress, it is proper that I should apprize you of the actual state of affairs, which placed me at the head of this organization, in accordance with the provisions of the Constitution. That the officers of your organization have acted in perfect good faith throughout this transaction is proved by the resignation, by Col. Roberts and Senator James Gibbons, of the positions which both so long filled with credit to themselves and benefit to the organization and the cause of Ireland,—positions in which both had served their people not only without fee or reward, but at their own personal expense,—but which both cheerfully resigned as soon as they considered that their abdication could in any way help to unite the Irish nationalists in America in one compact body for the sake of Ireland. Their patriotic sacrifice has unhappily been in vain, not, as you are aware through any fault of theirs, or of the Senate of the F. B., by whom their actions was endorsed and sustained. You will understand, from the annexed correspondence, that at no time has their been any collision between your Senate and Mr. John Savage, as to the men whom he was to send to represent his organization on the Council. All that was stipulated was that they should be true Irish nationalists, pledged to the principles of the organization,

and whose character and reputation would warrant their being entrusted with the control of the resources which the Irish people were ready to contribute for the liberation of their country, but for no other purpose. The real difficulty has been created by Mr. Savage's refusal to recognize the provisions of the Philadelphia Constitution, which he had voluntarily accepted, as the first step in the BASIS OF UNION, but which he finally repudiated when the time came for putting that basis into practical operation. Your President and Senate have been asked to disregard the requirements of that Constitution, and the solemn oaths which they took to support and maintain it; and when, in the faithful performance of their duty, they refused to repudiate the laws of the Brotherhood, which had more than once stood between the Irish name and the infamy which corrupt and designing men would have brought upon it, they have been assailed as being opposed to the unity of the Irish people. That such was not the case is evidenced by the fact that *all* the members of the Senate, without exception, were ready to resign their positions, and that it would have required a vote of the body not merely to elect seven members to the Council, but to indicate who should remain to serve their country. I may add that I myself have only occupied the position I now hold in obedience to the dictates of duty; and that I fully expected, as soon as the proposed union should have been effected to resign in favor of whomsoever might have been elected by the united Council. Your representatives have acted, throughout in the spirit of the most brotherly affection for all true nationalists: and notwithstanding the insults to which they have been subjected by men who never made a real sacrifice for Ireland, and never gave a day to her service, for which they were not more than adequately remunerated, they could not be driven from the work they have undertaken, and still are determined to persevere until all the scattered children of our race are united in the effort to give freedom and restored nationality to the beloved land of our fathers. But the union they look for is no longer a union, upon paper, with men, who only regard the sorrows and sufferings of our race as the capital through which they traffic upon the sympathies of our people. What we now want, and what we are determined to have, with the blessing

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of Heaven, and our own united exertions, is a union of those who are disposed to risk all in one grand endeavor to wrest the liberties of our country from her oppressors,—a union of those who are willing to prove the sincerety of their patriotism upon the battle field, where, *with your assistance*, we are deterimation soon to meet the enemies of Ireland.

Documents conveying to your Circles the programme of operations, and the requirements of the situation will be forwarded in a few days. Meanwhile, brothers, beleive that we desire union with all good men, who truly love Ireland, and that to such our ranks and our hearts are always open with *Cead mille failthe*, in the name of our common country.

Fraternally yours.

JOHN O'NEILL,

President, Fenian Brotherhood.

JOHN SAVAGE TO COL. W. R. ROBERTS.

EXECUTIVE OFFICE, FENIAN BROTHERHOOD, No. 823 Broadway,
New York, Dec. 30th, 1867.

Col. W. R. Roberts:—

My dear Sir:—I will be happy to see you to-day to confer and decide upon the names for Council.

Very truly,

JOHN SAVAGE.

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EXECUTIVE OFFICE, FENIAN BROTHERHOOD, No. 823 Broadway,
New York, Dec. 30th, 1867.

Dear Sir:—I understood from our previous conversations—when considering relative matters with Mr. Mitchel—that you and I should meet and arrange upon seven unobjectionable men each for the Council. It is not a matter any longer between the Senate and myself. My intercourse with the Senate has, happily, been brought to a conclusion. According to the "basis" approved by you, the fourteen men agreed upon by you and me shall be members of the Council of the United Brotherhood.

That junction having taken place, on a basis of equality, the union has actually been accomplished; and the Constitution agreed upon as a law for the *United* Brotherhood comes in as the future guide of all.

Could we not settle on the names to-night? I was in great hopes that the Constitution might be promulgated by New Year's Day.

Very truly,

JOHN SAVAGE.

PRESIDENT ROBERTS' ANSWER.

HEADQUARTERS FENIAN BROTHERHOOD,
No. 10 West Fourth Street,
New York, Dec. 31st, 1867.

John Savage, Esq :—

Dear Sir:—Your letter of the 30th was received by me this evening. I should be most happy to meet you, to confer with you regarding the names of those whom you intend to propose for election to the Senate; and in our conversation, at the time of our calling on Mr. Mitchel, I so stated, in order that when the Senate met, there should be as little delay as possible in perfecting the union upon the Basis agreed upon by yourself and the Senate, and approved by me as President of the F. B.

I understood from you, at the time of your conversation, that you would give the names on the 24th inst.; but I received no intimation from you until the 27th, and then to the effect that you expected your friends in the city by the 30th, at the latest.

The Constitution of the Fenian Brotherhood, which we have agreed to accept as the supreme law of the United Brotherhood, clearly defines the manner of electing Senators and of filling vacancies (see art. 2, sec. 4), and as I have no power to remove or create a Senator, I cannot, of course, say who shall leave the Senate or who shall be a member of it. It is for the Senate to decide this matter; and I have no reason to doubt but that the Senators are ready to create vacancies by resignations, whenever you are prepared to send in the names of those whom, according to the basis of union, you were to select for election to the Council. I assure you, sir, I am most anxious to bring to a harmonious and successful close, the union negotiations so happily carried on by the Senate and yourself; but when a misunderstanding or a misconception of the letter or spirit of the basis of union exists, I can only refer the matter back to the original contracting parties for explanation and settlement, and I shall be happy to approve of whatever decision may be arrived at, satisfied as I am that it will be for the best interests of our common country. The Senate is now in session, and will be most happy to hear from you. I trust there will be no delay in

consolidating all branches of the F. B.; and in order that the good work of union may be speedily consummated, I intend placing my resignation of the office I now hold in the hands of the Senate to-day. With a fervent hope for a speedy, sincere and lasting union, I have the honor to remain, yours truly,

WILLIAM R. ROBERTS,
President, F. B.

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MR. SAVAGE'S REPLY.

EXECUTIVE OFFICE, FENIAN BROTHERHOOD, No. 823 Broadway,
New York, Dec. 31, '67—4 p. m.

Col. W. R. Roberts:—

Dear Sir:—Your reply to my letter of yesterday is just received.

I am fully prepared to carry out the basis of union agreed on; and as you signify a desire to see me to unite in its accomplishment, I will be pleased to see you at the St. Denis Hotel or any other retired place forthwith.

I await your reply.

Yours, truly,
JOHN SAVAGE, C. E. F. B.

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GENERAL O'NEILL TO JOHN SAVAGE.

HEADQUARTERS FENIAN BROTHERHOOD,
No. 10 West Fourth Street,
New York, Jan. 2, 1868.

John Savage, Esq., C. E. I. R.:—

Dear Sir:—I have the honor to inform you that on the evening of December 31, 1867, Colonel W. R. Roberts tendered his resignation of the office of President of the Fenian Brotherhood, which was accepted by the Senate, F. B., and on the following day, Jan. 1, 1868, I was sworn in as President in his place, in accordance with the requirements of the Constitution.

I am now ready to receive names from you for recom-

mendation and election to positions on the Senate in the manner indicated by my predecessor in his letter to you of December 31, 1867.

The Senate is now in session, and the gentlemen composing it are anxious to wind up their business so as to be able to return to their respective homes as soon as possible. I hope, therefore, that you will see the necessity of a prompt reply, so that we can bring the matter to a close at the earliest practical moment.

I am also prepared to exchange with you detailed statements of the property and resources of the organization, and specific lists of the Circles in correspondence with these Headquarters, as provided for in the articles of agreement.

I have the honor to remain, very respectfully, your obedient servant,

JOHN O'NEILL, President, F. B.

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MR. SAVAGE'S REPLY.

EXECUTIVE OFFICE, FENIAN BROTHRR-HOOD, No. 823 Broadway,
New York, 2d Jan. 1868,

Gen. John O'Neill:—

Dear Sir:—I have the honor to acknowledge the receipt of your letter of this date, informing me of Col. Roberts' resignation of, and your succession to the position of presiding officer of a branch of the Fenian Brotherhood; also stating that you are ready to receive names from me "for recommendation and election to positions on the Senate in the manner indicated by my predecessor in his letter to you of Dec. 31st, 1867."

It is to be regretted that you seem to adopt the errors of your predecessor in succeeding to his position; and to lend yourself to the perpetuation of the obstacles to UNION suggested by his letter of the 31st ult., which his resignation, it might reasonably be hoped, would have removed.

If your predecessor might have misunderstood the BASIS OF UNION, which he approved, it was scarcely to be expected that you, sir, one of the framers of that agreement, should so far depart from it as to echo a suggestion so utterly at variance with its equitable provisions.

The BASIS OF UNION is the instrument alone which must guide me, and should guide you in perfecting the desired union. I have nothing to do with the routine of your Senate. I am not a member of it. The Fenian Brotherhood I have the honor to represent do not acknowledge its jurisdiction over their representatives. The members elected by it would not be members of a Council of the union; but members of your Senate, a branch thereof. I have no authority to introduce men into your Senate. The gentlemen to be nominated on the part of the organization I represent to the Council of the re-united Brotherhood are not to be elected by your Senate, any more than your quota to the same Council are to be elected by my advisers.

There is no such provision made in the BASIS OF UNION; but there is a specific provision that the council be constructed of seven members from the organization now presided over by you, and seven from that presided over by me, as a starting point for joint official action.

Your predecessor urged, and you echo the plea, that the Constitution provides a mode by which vacancies in the Senate are to be filled. It is self evident from this that neither the plea made, nor the mode referred to, covers the present case, but exhibits a fatal antagonism to the idea of Union, as the members of the council to be furnished, by either side, are not to fill vacancies in your Senate, but to be councillors of the re-united organization, each councillor entering upon his duties the equal and peer in every respect of all other members thereof.

Again, it is distinctly stated in the BASIS that the Philadelphia Constitution of 1865 be proclaimed the supreme law of the whole National Body in America. It is physically impossible to proclaim it such until the National Body in America is actually a whole, and shall have an authorized representative to proclaim it. Hence, the Constitution cannot be proclaimed until the organizations come together in the way laid down in the BASIS, by a representative council; and hence, again, the council cannot be *elected* under the Constitution, but constructed in the manner specified in the BASIS.

I have acted throughout our conferences and negotiations under the belief that the representatives of your organization were as earnest in their desire for a union as the rank and file were. You yourself, sir, said that your

body were willing to meet me half-way. On the faith of this, and on the part of the organization represented by me, I said: "Let the past be past," and on that faith the BASIS was agreed upon. But now your predecessor and yourself urge a proposition ignoring the manly half-way principle, and outside of the BASIS OF UNION which grew out of it.

Let me, then, sir, implore you to fulfill the obligations of the BASIS, and not permit the cup of consolation offered by it to our bleeding country to be dashed from her feverish and expectant lips. Let me beg of you to use your influence with your Senate to the end that it may turn from the past and face the present to obtain future good. Let me, finally, pray that your organization will at once name seven gentlemen as its quota to the council, according to our agreement, and thus end technical distractions, and commence a new and auspicious era. I have had the quota of my organization ready for several days; and had their names in a sealed envelop when I met your predecessor on the 31st ult.

With respect, yours,

JOHN SAVAGE, C. E. F. B.

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GEN. O'NEILL'S SECOND LETTER.

HEADQUARTERS, FENIAN BROTHERHOOD,
No. 10 WEST FOURTH STREET,
NEW YORK, Jan. 3, 1868.

JOHN SAVAGE, ESQ.:—

Dear Sir:—I have the honor to acknowledge the receipt of your letter of yesterday, and must confess no little surprise at its contents. You say that it is to be regretted that I "seem to adopt the errors" of my predecessor "in succeeding to his position," etc. Now, sir, permit me to inform you that I am not the man to lend myself to anything but what my honest convictions approve of—nor am I the champion of any man. Col. Roberts is quite capable of defending his own course, and has, at least, shown his sincerity and patriotism by resigning the position which he so long and honorably filled, when he be-

lieved it necessary in order to assist in bringing about a union of the Fenian Brotherhood. And my own intercourse with you ought to have been sufficient to convince you that I was at least as anxious to effect a union of the Irish Nationalists, on an honorable and effective basis, as you or any other man who professes to love Ireland possibly could be.

In the opening of your letter, you attempt to fasten on me the onus of misinterpreting the terms of the agreement entered into between yourself and the Committee of the Senate, F. B., when you say that, "If my predecessor *might* have misunderstood the Basis of Union which he approved," it was scarcely to be expected that I, as one of its framers, "should so far depart from it, as to echo a suggestion so utterly at variance with its equitable provisions." Allow me to say, sir, that, however much my views may be at variance with *your* interpretation of that instrument, I flatter myself that I have always understood and appreciated the true spirit of the agreement; and that I and my coadjutors on the Committee left nothing undone to apprize you of our opinions on that subject, is shown by the text of our correspondence with you—a correspondence of the length and minuteness of which you at one time complained, but for which the present circumstances, and your retirement from the terms to which it brought you, show there was a very strong necessity.

You say that the "Basis of Union" is the instrument alone which must guide you, and should guide me, in perfecting the desired union; that you have nothing to do with the routine of what you are pleased to denominate *my* Senate; that the organization you represent do not acknowledge its jurisdiction; that the members elected by it would not be members of a Council of the Union, but members of *my* Senate (again). Permit me, sir, to correct your language. The Senate of the F. B. are not my Senate, nor have they been the Senate of my predecessor, however their views and his may have been in accordance on the question of Irish independence. They are the elected representatives of the Irish national body, chosen by a General Congress of the Brotherhood, and wield a power limited only by the written Constitution you have already agreed should be the ruling law of the

united Brotherhood. They are, to-day, in fact, a government which the scattered children of the Irish race on this Continent recognize as the symbol of their restored nationality,—a government which has already done what no other body, similarly situated, ever accomplished—for, without the power to reward or punish, it put in motion against the enemy of Ireland a force sufficient to have overborne, all opposition save that of the friendly government, with which it was neither the desire nor the policy of the Irish national organization to come into collision.

You meet the invitation to place your representative men before me for election, according to the mode prescribed in the Constitution, which you have accepted, by saying that there is no such provision in the Basis of Union, but that the Council was to be first constructed of seven members from the organization presided over by you, and seven from that presided over by me, "as a *starting point* for joint official action." I regret that you oblige me to recall your attention to the fact that, in our negotiations, the *starting point*, as you are pleased to term it, was the acceptance, by you, of the Philadelphia Constitution. The body over which I have the honor to preside, did not need to take up the law under which it has existed from the time of its institution; and your having, on the part of that you represent, signified your acceptance of that law, it follows, naturally, that all succeeding action should be taken in accordance with its provisions. That such should have been your view of the matter, I need cite no stronger evidence than your own action in tendering, in conjunction with Col. W. R. Roberts, the office of President of the Fenian Brotherhood to John Mitchel. There is not on record any compact or agreement with the Irish people by which they could be called upon to recognize any man nominated either by Col. Roberts or yourself as the legitimate head of an Irish Revolutionary organization. But the Philadelphia Constitution, by enabling the President and Senate of the F. B. to fill official vacancies, kept open a door by which the expected head of the united organization could have entered, clothed with authority as plenary as that with which his predecessor was invested—with a title as unquestionable (as far as our body is concerned,) as that by which the

President of the United States holds his office to-day. The necessity of this procedure you must have recognized when you signed the Basis of the Union; for had Mr. Mitchell accepted the position tendered to him, by you and Col. Roberts, the agreement says that he should "be at once installed under the provisions of the said (Philadelphia) Constitution." There is not a line in that Constitution which states that either John Savage, William R. Roberts, or any committee whatever, have the power to nominate or install a presiding officer for the Fenian Brotherhood. But *there is* a provision by which the Senate are empowered to elect the President of their own body, which officer, it is declared, "on the death, removal or inability to act of the President," shall become the President of the Fenian Brotherhood. Thus, Mr. Mitchel, in order to reach the Presidency "under the Provisions of the Philadelphia Constitution," would have to be (and would have been) elected a member and president of the Senate of the Fenian Brotherhood, so that, on the resignation of President Roberts, he would have succeeded, not merely to *an empty title,* but to the full power and dignity of a high and responsible office. Had Mr. Mitchel accepted that position (as it was hoped he would), the agreement states that he should be "at once installed under the provisions of the Constitution as President of the United Brotherhood." In being so installed, he would have had to take an obligation to preserve and carry out the provisions of that Constitution in its fullest sense; and in his capacity as President, he would have to call upon you, as Col. Roberts and myself have done, to send in, for confirmation and election, the names of those whom you desired to place on the Senate as the representative of your organization. I can scarcely believe that you have looked fully into this matter, or you would not now propose to introduce those gentlemen into the Executive Council of the United Brotherhood by a process more summary and less legitimate than that to which you agreed to submit a man whose name stands so high amongst the nationalists of Ireland, and whose intimate associate you claim to have been in former struggles for our common country.

You say the position taken by my predecessor and myself,—that the mode prescribed by the Constitution, by

which vacancies on the Senate are to be filled—"exhibits a fatal antagonism to the order of union, as the members of the Council to be furnished by either side are not *to fill vacancies*" in what you persist in again calling *my* Senate, "but to be councillors of the re-united organization, each councillor entering upon his duties the *equal and peer*, in every respect, of all other members thereof" It appears to me, sir, that in insisting on the observance of these provisions of the Constitution to which you now object, the committee of which I was a member, as well as my predecessor and the Senate of the F. B., were not only careful to provide for the proper government of the Fenian Brotherhood, but were even more studious than you seem to be to preserve the honor, dignity, and authority of the members who should represent your organization in the future council, and more anxious to ensure that they should enter that body as the "equals and peers" of those whom they would there meet. For what say the terms of agreement—that the council designated therein, shall be "the Senate provided for in the Philadelphia Constitution." Surely you do not mean to tell me or the Irish nationalists at large, that a council chosen irresponsibly by you and Colonel Roberts, as you proposed in your letter of December 30th, would be the Senate provided for by the Philadelphia Constitution—a legislative body elected directly by the chosen representatives of the people, with power to fill vacancies occurring in their body—the only *real* elective government in Irish national affairs that the Irish people have acknowledged since the destruction of their independence as a nation. The Senate of the Fenian Brotherhood, elected by the general Congress of the organization acting under the Philadelphia Constitution, is to-day the Senate provided for by that Constitution; and its members, in voluntary making the "vacancies" which you object to fill, desire only to place the representatives of your body upon a footing of perfect equality with themselves. They are the elect of the people, with power to transmit their own power to those who may be called to fill "vacancies." In this respect, sir, men who would be merely *your appointees*, would not be their equals in the eyes of all who value representative government. We desired to shield you and your party from this contingency. But you reject the means to

which you at first agreed. On you be the responsibility. I have not, as you pretend to say, in any way, departed from the spirit or the letter of the agreement entered into between us.

You admit that, in accordance with the basis of union, the Philadelphia Constitution must be "the supreme law of the whole national body in America," but you immediately state that it is "physically impossible" that that law can go into operation until a council has been designated as you desire, and especially that the council cannot be *elected* under the Constitution but "constructed" before the Constitution can go into operation. If this be so, the council you propose cannot be "the Senate provided for in the Philadelphia Constitution," for that Senate is the creation of the Constitution; and you would place the creature before the creator,—in a word, you would inaugurate chaos, by placing the subject above the law which warrants and governs its existence. But, aside from all this, you were apprized at every step of the negotiations which led to the agreement from which you now recede, that the organization I have the honor to represent acknowledged the Philadelphia Constitution as the governing law of their body; and when you objected to, and desired to set aside, those provisions of that Constitution which provided the mode of electing the Senate, etc., the committee of that body, which waited on you, in their communication of Deeember 11, 1867, reminded you that —"when you propose to abrogate or abolish any portion of the Constitution of the Brotherhood, without the consent previously obtained, of the people from whom it emanates, it is proper that you should be reminded that, *however other parties may assume to go outside of the written law, from which alone they derive any authority, the President and Senate of the Fenian Brotherhood have never attempted to usurp powers not expressly confided to them; and the fact that the Congress of Cleveland, previous to entrusting to us the charge of these negotiations, reaffirmed the Philadelphia Constitution, showed conclusively that that body did not contemplate delegating, even to the officers whom they selected to conduct their affairs, the power of setting aside the Constitution or any portion of it, as we are invited to do in your letter of this date.*"

To the correctness of the position thus taken by the committee, you assented in your subsequent communica-

tions; and in your letter of December 12, you intimate that if your objection to the *name* of "Senate" could be removed by changing it to that of "Council," there would be no "difficulty in the way of Union." That concession —inasmuch as it did not in any way conflict with the constitutional provisions—was made to you, the committee, at the same time reminding you again that they could not, and would not consent to set aside any of the clauses of the Constitution, which defined and provided for the nature and functions of the body they represented. Upon that understanding you signed the basis of agreement, in which it is expressly stated that no change except a nominal one shall be made in the Senate; yet you now again ask that body and myself, as you before asked my predecessor, to suspend the fundamental law of the organization from which our whole authority is derived, while the most important branch of its government is being "reconstructed" according to the interests or caprices of a couple of individuals, to neither of whom have the people ever entrusted such enlarged powers. The inconsistency of your position with that which you voluntarily occupied on the former occasion is manifest, and can only be accounted for on the hypothesis that you repent of the agreement into which you then entered.

That the representatives of the organization over which I have the honor to preside have been in earnest in their desire to promote a union of Irish nationalists, needs no better proof than their presence in this city during a period which has now extended over several weeks—many of them remote from their homes and business, and all suffering in their personal interests, endeavoring to bring about an agreement. That agreement, as signed by yourself, they are still ready to perfect, in the spirit in which it was concluded, and on the plain interpretation which its terms and the correspondence accompanying it will justify. I will therefore again ask you to send in the names of the parties who are to represent your body, in order that they may be acted upon as required by the Constitution. I have also to remind you again—what you appear to have overlooked—that the basis of agreement requires an exchange of inventories of property and resources, and lists of circles, which I am prepared to furnish without delay.

You have appealed to me, sir, in the name of bleeding Ireland, to act so as that good only should accrue to her out of these transactions. Your words were not needed as an incitement to me in that direction, and I can point to the record of my life—touched, not unfavorably by your own pen—in proof of that fact. From my earliest boyhood, my hopes, my aspirations, had no other tendency than that imparted by the desire of being some day of service to my native land. My profession as a soldier was chosen with the fixed idea that whatever military knowledge I might acquire should be directed to the redemption of my country; and it is the proudest reminiscene of my life, that, upon the field of battle, I have at last been enabled to put that knowledge to a practical use, and at the hazard of my life, and under circumstances in which but few men would have made the attempt, to plant the green flag of Ireland above the ensign of her hated oppressor, in an armed fight for Irish liberty. That fight I entered upon with my whole heart, and to it I am determined to devote my existence, if necessary, and every effort which I am capable of making. Backed by the patriotic organization I represent, and confident in the justice of our cause, I have no fears for the ultimate result of that struggle, and shall press on to the end without hesitation or delay. Should we have the aid of yourself and the men you represent, in those efforts, believe me we shall ever be ready to receive you as brothers, and to welcome your accession as becomes true Irish nationalists. But whether you join us or not, it is our determination to push on our work for Ireland's liberation without stoppage or intermission; for, after all, it is upon the battle-field that our country must be redeemed, and the instruments of her regeneration must be the rifles and sabres of Irish Republican soldiers, not the pens and quibbles of diplomatic casuists.

I have the honor to remain, yours respectfully,

JOHN O'NEILL,
President, F. B.

REPLY OF MR. SAVAGE.

EXECUTIVE OFFICE, FENIAN BROTHERHOOD, No. 823 BROADWAY,
NEW YORK, 3d Jan., 1868.

GENERAL J. O'NEILL:—

Dear Sir:—Your voluminous communication has been received, and met with suitable consideration. A reply to it would be superfluous; not because it is unanswerable, but because it is an elaborate evasion of the obligation which you solemnly agreed to carry out according to the BASIS OF UNION, and from which I cannot depart.

Your exposition of the mode by which you intended to make Mr. Mitchel President, is at once a commentary on, and illustration of your sectional position. If Mr. Mitchel was elected in the manner you intended, he would simply fill Mr. Roberts' place over a branch, and not be the presiding officer of the whole National body in America, as contemplated by the BASIS OF UNION. I would not remind you of the fact, that after presenting me with a treatise of twenty-one pages, you speak of the efficacy of acts and not words, but that I desire to limit this correspondence, and put the following question, to which I respectfully request a categorical answer:—

Will you, or will you not, present the names of seven persons on the part of your organization, to meet and unite with seven appointed by me, to form a Council as per BASIS OF UNION?

I am ready to present a full exhibit of all moneys, property and material of war, &c., and to turn over the same, as the BASIS directs, "to the officers of the United Brotherhood."

Respectfully,

JOHN SAVAGE, C. E. F. B.

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GENERAL O'NEILL'S REPLY.

HEADQUARTERS FENIAN BROTHERHOOD,
No. 10 WEST FOURTH STREET,
NEW YORK, Jan. 4, 1868.

JOHN SAVAGE, Esq:—

Dear Sir:—Your communication has been received and contents duly noted. In it you state that my communica-

tion to you yesterday is "an elaborate evasion of the obligations which I solemnly agreed to carry out according to the Basis of Agreement." This I deny, and refer you to the Basis of Agreement and the correspondence already had in reference to it. You ask me for "a categorical answer to the following question :—' Will you, or will you not, present the names of seven persons, on the part of your organization, to meet and unite with seven appointed on the part of the organization represented by me, to form a Council, as per BASIS OF UNION ?'" To which I reply, that I have no power to make appointments for either Senate or Council, and the members can only be elected on the Senate and Council, as prescribed by the Philadelphia Constitution, which I have sworn to support and which you have agreed to accept. A compliance with the process therein prescribed would be no material surrender on your part, and would but simply enable me to fulfill the spirit and purpose of our agreement—the only object that you, or I, or the people should desire, without the violation of my solemn oath, which I cannot believe you could expect. By this obligation,—as you cannot have been ignorant from the first,—I and the Senate are irrevocably bound ; while you are in no such manner restricted. I pray you, therefore, not to retard or prevent the union of all Irish nationalists, by asking impossibilities of me ; but as, *in effect*, this mode of procedure, to which we are solemnly obligated, would be precisely the same as that which you propose,—let us, in the name of Ireland and honest sincerity, rise above forms to which we *are not* bound, and proceed to perfect that union which will be so agreeable to all Irish patriots, without the anomaly of asking men, to whom you would commit the trust of this great cause, first to break their solemn oaths to the people.

I again call upon you to send in your seven names so that they may be elected by the Senate, as prescribed by the Constitution and in accordance with the Basis of Agreement.

Very respectfully, your obedient servant,

JOHN O'NEILL, President, F. B.

MR. SAVAGE'S LETTER.

EXECUTIVE OFFICE, FENIAN BROTHERHOOD, No. 823 Broadway,
New York, Jan. 6, 1868.

Gen. John O'Neill:—

Dear Sir:—Yours of the 4th, in reply to mine of the 3d inst., reached this office after 6 p. m. on Saturday evening. I grieve to see that it is a continued expression of departure from the Basis of Union. You lay the usual stress upon the Philadelphia Constitution of 1865, and strive to make it the supreme law of a body which does not exist. I accepted that Constitution as the supreme law of the United Brotherhood, and will acknowledge it such when the Brotherhood is united. Your solemn oath is not binding on me to observe forms I cannot recognize until a union of the Brotherhood has taken place. If your solemn oath will prevent such a union as the basis contemplated, then you should not have agreed to such a basis. If you made this basis knowing that you could not carry it out, then your predicament is not to be envied. While further correspondence on this subject seems to be futile—judging from the persistency with which you insist on autocratic powers of jurisdiction over the men who are to compose the Council of the United Brotherhood—I am not willing to give up the idea and hope of union while a chance remains by which it may be accomplished. The differences of opinion between us as to the mode of carrying out the Basis of Union are positive, and from all appearances there is no hope of arriving at a mutually satisfactory solution. As a party to it, I believe I understand its scope, and justly value its powers; but I am willing to have my views tested by a completely uninterested ordeal. I therefore propose that we submit the matter for arbitration to three gentlemen, one to be named by each organization respectively, the two thus chosen to select a third; and that the decision rendered by them shall be final and binding on the parties to these negotiations and the organizations in whose behalf the Basis of Union was agreed upon and signed by authority.

Awaiting your reply, very respectfully,

JOHN SAVAGE, C. E. F. B.

GENERAL O'NEILL'S REPLY.

WASHINGTON, D. C., Jan. 10, 1868.

TO JOHN SAVAGE, ESQ :—

Dear Sir :—I have the honor to acknowledge the receipt of your communication of the 6th inst., forwarded to me from New York. This letter, although addressed to me, was evidently intended but for the *public press;* as it was received at my Headquarters, in New York, about five o'clock Monday evening, and published in the New York papers Tuesday morning. Were it not for a still lingering hope for "UNION," which is begotten of my own ardent desire for that end, rather than of any spirit that you have manifested in conducting these negotiations, your flagrant violation of the courtesies of life, and manifest unfairness in thus publishing your *exparte* letter before giving me time to reply to it; or unaccompanied by the correspondence to which it *purported* to be a reply, would force me to regard it as unworthy of my notice ; and, were it not for this hope, I would most emphatically agree with you in saying that "further correspondence on the subject seems futile."

I know not whether I am more grieved or astonished at the position you have chosen on this question, and your obstinate tenacity to which, is so clearly evidenced by this last letter,—grieved for the general patriotic yearning, which calls for the "UNION" of all Irish nationalists,—astonished at the most dishonorable proposal with which you conclude your letter. You have persistently insisted upon an interpretation of the "BASIS OF UNION," as unwarranted by its express terms, or by inference, as it is dishonorable and insulting—at least in its persistency—to the members of the Senate and myself,—an interpretation, indeed, so clearly without warrant, that you have not had the temerity to argue it.

I could honorably discuss with you the question, whether or not I might, consistently with my oath of office, waive the constitutional mode of adjusting the UNION, and adopt that proposed by you; but I can do so no longer, when it is made so clear that I cannot abandon that position, without the violation of my oath, that even you yourself do not deny it; but simply claim that *my* "solemn oath is not binding" on *you*, and even seem to rejoice in the predica-

ment, into which the cause of "UNION" has got by the irreconcilability of *your* interpretation with any concession *possible* on my part.

Your proposal to submit the matter for arbitration to three gentlemen, &c., you *know* to be as clearly impossible, unconstitutional, and as involving of perjury on my part, as the mode previously rejected on the same grounds. *You* may feel the necessity for a committee to determine what you mean; but *I* feel under no such necessity; and to ask me to submit to any three gentlemen, whether I shall violate my oath of office, is simply supremely ridiculous. Now, sir, I cannot and will not conduct these negotiations any further on this line; for, in the face of all that has already passed between us on this subject, your proposal to me to ignore my oath, is as inoffensive to me, as it should be repugnant to yourself.

Meet this question honestly and squarely. It stands simply thus: we both profess to desire one united organization, under the Philadelphia Constitution, governed by a President and Senate as provided for in that Constitution,—the Senate to be called "Council;" said "Council" to be composed of seven men from your organization and seven from that over which I have the honor to preside, together with a fifteenth of their united election—the President to be elected by said "Council." With the process you proposed the united organization would be governed by a President, elected by a Council composed of seven men from each organization, and a fifteenth of their choice; and by said "Council." The Constitutional process, proposed by me, and required of me by my oath to support the Constitution, would give precisely the same result, viz: a President elected by a "Council" composed of seven men from each organization, and a fifteenth of their choice; and by said Council. The end reached then, under either, being precisely the same, what can be the purpose of your obstinacy, if it be not to induce me and the members of the Senate to break our oaths, as if the one essential requisite to qualify us as custodians of the organization, and the Constitution which was to govern it, were to first break our oaths to support it. In truth, does not this seem something worse than paradoxical? You knew, when you accepted this BASIS OF UNION, that I or the Senate could not go outside of the Constitution in carrying it out; for we so assured you in the most explicit terms.—

You knew that the Committee, which proposed *that* BASIS to you, advised you, in *writing*, (in letter of December 11th,) that "they (the President and Senate) could not go outside of the written law from which they derive any authority;" and had not "the power of setting aside the Constitution or any portion of it." You accepted the BASIS OF UNION in the face of that assurance, and you are therefore bound, in honor and sincerity, by *your own act of acceptance* (if not by *my oath*,) to interpret the BASIS by the light of that knowledge.

Now, sir, I have no alternative, as you know, from the Constitutional mode, but perjury. You are bound to no other process. Then, why not adopt the only mode upon which it is possible for me to meet you, and according with the only legitimate interpretation of the BASIS agreed on. If you will not honestly meet me on this ground, knowing, as you have from the first, that it is made obligatory on me by my solemn oath, and as the UNION resulting would be the same by either course, what conclusion, then, is it possible for me to arrive at, but that, instead of occupying your mind with the question *how you could effect a union*, your only inquiry has been, *what could you propose which you knew I could not accept?* In a word, will it not appear that your efforts have been rather to prevent a UNION than to accomplish it?

I pray you, in conclusion, not to lend yourself to the purposes of those who hate that Constitution, as the monument of own their infidelity and perjury; who would feel an ignoble gratification at the destruction of that instrument, which stood between them and the life and virtue of the organization; or who would still more rejoice at the perfidity of its defenders. But, if you still refuse to accede to my proposal to send in the names of your seven men for election to the "Council," I then re-echo your opinion that "further correspondence on the subject seems futile;" and but regret that so much valuable time has already been wasted: while I, and the organization of which I am President, have but to continue, with all possible vigor, to carry out our purpose of raising an army and revolution, that may give liberty and independence to Ireland; believing our record in the past to be sufficient earnest of our sincerity in the future.

Yours, respectfully,

JOHN O'NEILL, President, F. B.